

UNITED STATES DISTRICT COURT
for
EASTERN DISTRICT OF NORTH CAROLINA
EASTERN DIVISION

U.S.A. vs. Carnovesky Bryant

Docket No. 4:01-CR-28-1H

Petition for Action on Supervised Release

COMES NOW C. Lee Meeks, probation officer of the court, presenting a petition for modification of the Judgment and Commitment Order of Carnovesky Bryant, who, upon an earlier plea of guilty to Conspiracy to Distribute and Possess with the Intent to Distribute Cocaine Base ("Crack"), in violation of 21 U.S.C. § 846, was sentenced by the Honorable Malcolm J. Howard, Senior U.S. District Judge, on February 19, 2002, to the custody of the Bureau of Prisons for a term of 292 months. It was further ordered that upon release from imprisonment the defendant be placed on supervised release for 60 months under the standard conditions adopted by the court and the following additional conditions:

1. The defendant shall participate as directed in a program approved by the probation office for the treatment of narcotic addiction, drug dependency, or alcohol dependency which will include urinalysis testing or other drug detection measures and may require residence or participation in a residential treatment facility.
2. The defendant shall consent to a warrantless search by a United States Probation Officer or, at the request of the probation officer, any other law enforcement officer, of the defendant's person and premises, including any vehicle, to determine compliance with the conditions of this judgment.

On August 3, 2004, the imprisonment term was reduced to 108 months pursuant to a motion for downward departure under the Federal Rule of Criminal Procedure 35(b).

On June 4, 2008, the term of imprisonment was reduced to 87 months pursuant to 18 U.S.C. § 3582(c)(2). Carnovesky Bryant was released from custody on June 13, 2008, at which time the term of supervised release commenced.

RESPECTFULLY PRESENTING PETITION FOR ACTION OF COURT FOR CAUSE AS FOLLOWS:

On May 6, 2010, the court was advised that Bryant had been arrested by the New Bern Police Department on April 7, 2010, and charged with Felonious Possession with Intent to Manufacture, Sell or Deliver Cocaine Base. The court agreed at that time to take no action until this charge had been adjudicated in state court. The drug charge was dismissed by the Craven County District Attorney on December 12, 2012; however, during the past 2 years, Bryant has incurred five new charges of Driving While License Revoked, all of which have been dismissed by the court upon

Carnovesky Bryant
Docket No. 4:01-CR-28-1H
Petition For Action
Page 2

Bryant's completion of community service in each instance. It is noted that Bryant attempted to secure a valid drivers license in January, 2010; however, was denied same by a DMV Hearing officer. Accordingly, it is recommended Bryant be sanctioned for the aforementioned charges of Driving While License Revoked with 60 days of home confinement, including electronic monitoring, and that he also be required to participate in a cognitive behavioral program as directed by the probation officer to address his decision making skills.

The defendant signed a Waiver of Hearing agreeing to the proposed modification of supervision.

PRAYING THAT THE COURT WILL ORDER that supervised release be modified as follows:

1. The defendant shall abide by all conditions and terms of the home detention program for a period not to exceed 60 consecutive days. The defendant shall be restricted to his residence at all times except for pre-approved and scheduled absences for employment, education, religious activities, treatment, attorney visits, court appearances, court obligations or other activities as approved by the probation officer. The defendant shall wear an electronic monitoring device and follow electronic monitoring procedures specified by the probation officer.
2. The defendant shall participate in a cognitive behavioral program as directed by the probation office.

Except as herein modified, the judgment shall remain in full force and effect.

Reviewed and approved,

/s/ Dwayne K. Benfield
Dwayne K. Benfield
Supervising U.S. Probation Officer

I declare under penalty of perjury that the foregoing is true and correct.

/s/ C. Lee Meeks, Jr.
C. Lee Meeks, Jr.
U.S. Probation Officer
200 Williamsburg Pkwy, Unit 2
Jacksonville, NC 28546
Phone: 910-346-5105
Executed On: January 3, 2013

Carnovesky Bryant
Docket No. 4:01-CR-28-1H
Petition For Action
Page 3

ORDER OF COURT

Considered and ordered this 6th day of December, 2013, and ordered filed and to be entered on the court's records in the above case.



Malcolm J. Howard
Senior U.S. District Judge